


REMARKS

With respect to the cited Hutcheson reference, it appears that it was actually filed after the present application. Thus, the only way that it could have earlier effective filing date is if it could rely on the two cited provisional applications. However, a review of those applications suggests that the material relied upon within the Hutcheson reference is not present in either of those prior provisional applications. If that is so, there is no basis for the rejection and reconsideration is requested.

Claim 35 has been amended to call for pushing information to a customer terminal depending on its position wherein the customer terminal is mobile. Clearly, the terminals in Delph are fixed and, therefore, are not fully dynamic in terms of pushing information based on current position. Therefore, reconsideration of the rejections of claims 35-43 is requested.

Respectfully submitted,

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Timothy N. Trop, Reg. No. 28,994
TROP, PRUNER & HU, P.C.
8554 Katy Freeway, Ste. 100
Houston, TX 77024
713/468-8880 [Phone]
713/468-8883 [Fax]

Attorneys for Intel Corporation